

January 2017

M. B. A. (Hospital Administration) Examination

Third Semester

LEGISLATION FOR HEALTH AND HOSPITALS

Time 3 Hours]

[Max. Marks 80

**Note :** Attempt any three questions from Section A. Section B is compulsory. Each question of Section A carries 16 marks. Section B carries 32 marks.

## Section A

1. What are the provisions for licencing of a Blood Bank ? Explain the procedure for renewal of licence. DAVVonline.com
2. Describe, what all is required for Radiation Control in Hospitals ? What are the consequences of not observing the legal provisions ?
3. "A Valid Consent can save the Hospital from Several Legal Litigations." Do you agree to this statement ? Justify your answer and clarify the meaning of Valid Consent.
4. Discuss the provisions mentioned in Bio-medical waste management rules.
5. Describe the legal status of Medical Council of India. What are its functions and powers ?

## Section B

Surgeon 'X' was attending emergency service of surgery department in a General Hospital.

He received an unknown patient, a case of Road Traffic Accident and observed that there was an internal bleed.

Perceiving that surgery is necessary to save the life of patient, he planned the operation.

Patient was unconscious and there was no one else to give a consent for surgery.

However, he along with an Assisting Surgeon took initiative on humanitarian grounds and attempted the operation. Operation was uneventful. They congratulated each other and the Anaesthetist and the team also congratulated. The patient was shifted to Post Surgical ICU, where he could never arouse and finally died.

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15 days later, the relatives of the patient arrived, heard about the accident and then surgery and sued the surgeon in court for surgery without consent, Criminal Negligence and a huge compensation.

Explain :

- (a) Has the surgeon committed crime ?
- (b) Was it wrong to operate without a consent when no one was there to attend, and the procedure was necessary to save life ?
- (c) What must the operating team have done ?
- (d) Should there be a penal sentence ? What should be the penalty ?
- (e) Should the surgeon pay compensation ?